

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

JOSHUA LEE SMITH,)	
)	
)	
<i>Plaintiff,</i>)	
)	Case No. 7:22-cv-00238
v.)	
)	
TWIN COUNTY REGIONAL)	
HEALTHCARE, <i>et al.</i>)	
)	
<i>Defendants.</i>)	
)	

STIPULATION OF PARTIAL DISMISSAL

Plaintiff Joshua Lee Smith, by counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(2) hereby voluntarily dismisses the following claims against Defendant Maribel Rodriguez-Martinez, MD: the Eleventh Claim for Relief for Intentional Infliction of Emotional Distress, the Twelfth Claim for Relief for Negligent Infliction of Emotional Distress, and the Fourth Claim for Relief under the Americans with Disability Act (ADA). However, Plaintiff does not dismiss the Seventh Claim for Relief for Medical Malpractice.

It is further stipulated that each party shall bear their own attorneys' fees and costs as to these dismissed claims. This action shall continue to proceed as to all other Counts and Defendants with the exception of those matters explicitly dismissed above.

ENTERED this _____ day of _____ 2024.

Hon. Robert S. Ballou
United States District Judge

We ask for this:

/s/ Aderson Francois

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Counsel for Defendant Twin County Regional Hospital

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of June 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing (NEF) to all counsel.

/s/ Genevieve E. Mesch
Genevieve E. Mesch